

PRESENT

Commissioner Lynn Bowers
Commissioner Kathy Carter
Commissioner Doug Howard
Commissioner Rodney Williams
Mayor William I. May, Jr. (5)

ABSENT

None (0)

The meeting was called to order by Mayor May. Rev. Katherine Redmond, First Presbyterian Church, gave the invocation. The Pledge of Allegiance was recited by those in attendance.

It was moved by Commissioner Bowers, seconded by Commissioner Carter, that the Board accept as presented the minutes of the November 24, 2008 Regular Meeting. The question was put upon the motion and the roll called. Voting in favor of the motion were Commissioners Bowers, Carter, Howard, and Williams, and Mayor May (5). Voting against the motion were none (0). The motion was thereupon adopted.

Mayor May reported that the Paul Sawyer print "Rainy Day in Lexington" had been donated to the City by Bill Coffey. He reported on recent grant awards from the Department of Homeland Security; welcomed Mayor-elect Gippy Graham and Commissioner-elect Sellus Wilder; and commented on his years as Mayor. He offered a special thank you to Steve Brooks for his service as Parks Director.

A "RESOLUTION HONORING MAYOR JAMES C. BURCH" was presented and read by Mayor May. It was moved by Commissioner Carter, seconded by Commissioner Howard, that the Resolution be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Carter, Howard, and Williams, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted (Resolution No. 18, 2008 Series).

Mayor May recognized the following employees in attendance who were retiring from city employment:

- John Tanner, Lab Tech, retiring with 28 years of service (Sewer Department);
- Donald Greg Thurman, Plant Superintendent, retiring with 30 years of service (Sewer Department);
- Mansoor Bozorgzad, Pretreatment Coordinator/Chemist, retiring with 17 years service (Sewer Department); and
- Steve Brooks, Parks Director, retiring with 28 years service (Parks, Recreation, and Historic Sites).

"AN ORDINANCE CLOSING A PROPOSED EXTENSION TO FLAMINGO DRIVE, CARDINAL HILLS SUBDIVISION THAT WAS DEDICATED TO THE CITY OF FRANKFORT BUT WAS NEVER CONSTRUCTED" was presented and read.

"AN ORDINANCE TO AMEND THE CITY OF FRANKFORT'S CODE OF ORDINANCES – CHAPTER 152 – BY AMENDING THE CITY OF FRANKFORT'S ZONING REGULATIONS - ARTICLE 15-NON-CONFORMING USE AND NON-COMPLYING STRUCTURES – SECTIONS 15.071, 15.072, AND ARTICLE 17 – ARCHITECTURAL REVIEW BOARD – SECTIONS 17.15.2, 17.15.3, AND 17.16 OF THE CITY OF FRANKFORT'S ZONING ORDINANCE" was presented and read.

"RESOLUTION IN SUPPORT OF THE CITY OF FRANKFORT WASTEWATER FACILITIES PLAN UPDATE FOR THE FARMDALE AREA OF FRANKLIN COUNTY, KENTUCKY DATED FEBRUARY 2008" was presented. It was moved by Commissioner Williams, seconded by Commissioner Carter, that the Resolution be adopted. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Carter, Howard, and Williams, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted (Resolution No. 19, 2008 Series).

"RESOLUTION TRANSFERRING FROM NON-HAZARDOUS TO HAZARDOUS COVERAGE AS DEFINED BY KRS 61.591 (1) (B)" was presented. It was moved by Commissioner Bowers, seconded by Commissioner Williams, that the Resolution be adopted. Discussion followed. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Carter, Howard, and Williams, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted (Resolution No. 20, 2008 Series).

The following miscellaneous and personnel items were presented:

- 6.1 Authorized the Mayor to sign a 4-year contract with Duplicator Sales for copier lease for Police and City Hall copiers; monthly lease payment to come from various departments' budgets (Finance);
- 6.2 Authorized a Mutual Aid Agreement for fire and EMS response between the City of Frankfort and Lexington-Fayette Urban County Government (Fire);
- 6.3 Authorized the Mayor to sign an agreement with Creative Microsystems, Inc. (CMI) to provide Interface Support to ADP for new payroll time collection system; this agreement obligates the City of Frankfort to a one-time fee of \$5,550 and an annual fee of \$511; funds are available in Account No. 300.68.56551 (Sewer);
- 6.4 Authorize contract award to HMB Professional Engineers, Inc. to prepare bid specifications for the replacement of drive unit assemblies for Clarifiers No. 2, 3 and 4; total amount of contract is \$8,500; funding available in account 300.68.54390 (Sewer);
- 6.5 Authorized approval of Change Order No. 1 to the construction contract with Vanguard Contracting LLC for additional work on the Shelby Street project; additional cost of \$2,937.50, for total revised contract amount of \$97,687.50; funds are available in Account No. 685.00.51100 (Sewer);
- 6.6 Authorized the purchase of a 2009 International chassis and a New Way Cobra Magnum Garbage Packer from Municipal Equipment at a cost of \$134,200; funds available in the Sanitation Division Equipment Account No. 100.65.56550 (Public Works);
- 6.7 Authorized payment to the Property Valuation Administrator (PVA) for use of county assessment services for 2008 City of Frankfort ad valorem tax purposes; annual fee established by KRS 132.285 for the use of county assessment services; cost of \$40,000 available in Account No. 100.50.53295 (Finance);
- 6.8 Approved the lowest bids for demolition of 395 ½ Schenkel Lane, 752 Owenton Avenue, and 847 Leestown Lane, and to execute the Memoranda of Agreement with John Feshal, Jr.; approved contract amounts for each property as follows; 395 ½ Schenkel Lane - \$4,994; 752 Owenton Avenue - \$10,000; 847 Leestown Lane - \$7,000; funds available in Account No. 100.70.53295 (Planning and Building Codes);
- 6.9 Authorized approval of agreement for 2008-2009 Kentucky Changers Project to make minor improvements to approximately twelve (12) low to moderately low single-family homes (non-rental) within the City limits, and authorize the Mayor to execute the agreement; invoices from the Changers to contain the materials and address for each site at time submitted to ensure accountability and limited to those only within the City of Frankfort; up to \$12,000 will be shared from Planning's Nuisance Abatement Account (Account No. 100.70.53295) and the Frankfort Housing Corporation Account (Old Urban Renewal Program), Account No. 540-00-51100 (Planning and Building Codes);
- 6.10 Approved a professional service agreement with David Banks, Architect & Associates to prepare plans, specifications, and perform the contract administration for Phase 2 Repairs for the Sullivan Parking Structure; funds in the amount of \$20,000 are available in the Transportation Improvement Account No. 100-61-53210; agreement is based an hourly rate agreement not to exceed \$20,000 (Public Works);
- 6.11 Authorized the following personnel actions:
 - Retirement of John Tanner, effective 12-31-08, and authorized payment of all accrued time as of effective date (Lab Tech, Sewer Department);
 - Retirement of Greg Thurman, effective 12-31-08, and authorized payment of all accrued time as of effective date (Plant Superintendent, Sewer Department);
 - Retirement of Mansoor Bozorgzod, effective 12-31-08, and authorized payment of all accrued time as of effective date (Pre-Treatment Coordinator, Sewer Department);
 - Retirement of Steve Brooks, effective 12-31-08, and authorized payment of all accrued time as of effective date (Parks Director, Parks, Recreation and Historic Sites);
 - Retirement of Michael Barnett, effective 12-31-08, and authorized payment of accrued time as of effective date (Mechanic III, Garage/Public Works);

- Retirement of Robert Smallwood, effective 12-32-08, and authorize payment of all accrued time as of effective date (Automotive Parts Clerk, Garage/Public Works);**
- Retirement of Robert Walton, Jr., effective 12-31-08, and authorize payment of all accrued time as of effective date (Fleet Maintenance Superintendent, Garage/Public Works);**
- Appointment of Mike Chapman, effective 12-15-08, to position of Fleet Maintenance Superintendent (Garage/Public Works).

It was moved by Commissioner Howard, seconded by Commissioner Carter, that the Consent Agenda be adopted. . All members being present the motion to approve the consent agenda was adopted without objection. Commissioner Williams abstained from voting, having submitted a Vote Modification Form for Consent Agenda Item 6.4.

Board Appointments

It was moved by Commissioner Bowers, seconded by Commissioner Carter, to approve the Mayor’s recommendations to reappoint Winona L. Fletcher to the Capital City Museum Board for a term ending 12-31-11, to reappointment Mary Ann Bogart to the Capital City Museum Board for a term ending 12-31-11, and to appoint Kevin Mason to the Board of Ethics for a term ending 12-31-11. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Carter, Howard, and Williams, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted.

New Business

Following discussion, it was moved by Commissioner Howard, seconded by Commissioner Carter, to approve the Police and Fire State incentive pay adjustment, based on the Court of Appeals decision. According to the court decision, state incentive pay must be included as part of the base pay calculation for city overtime. Financial impact to the city estimated at \$850,000. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Carter, Howard, and Williams, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted.

Citizen Comments

Terry Sutton offered thanks to Commissioners Bowers and Howard for their service. He asked when an open house would be held for the Public Safety building. Brief discussion followed.

Commissioner Comments

Commissioner Howard expressed thanks to citizens, staff and his family, and stated he enjoyed his time on the Board. Commissioner Williams offered thanks for Commissioners Bowers and Howard for their service. Mayor May offered comments about serving with Commissioners Bowers and Howard. Commissioner Bowers stated that she had enjoyed her time on the Board.

It was moved by Commissioner Bowers, seconded by Commissioner Howard, that the meeting adjourn. The question was put upon the motion and the roll called. Those voting in favor of the motion were Commissioners Bowers, Carter, Howard, and Williams, and Mayor May (5). Those voting against the motion were none (0). The motion was thereupon adopted, and the meeting adjourned at 6:12 p.m.

S/William I. May, Jr.
Mayor

Attest:

S/Ramona W. Newman
T/City Clerk

**Per Order No. 11, 2008*

*** Robert Smallwood was Fleet Maintenance Superintendent, and Robert Walton was Automotive Parts Clerk. Positions were inadvertently reversed in the minutes.*